

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and the following discussion, is respectfully requested.

Claims 1, 3, 4, 6-13, 15, 16, and 18-24 are pending in this case. Claims 1, 3, 4, 6, 8-13, 15, 16, 18-20, 22, and 23 are amended, and Claims 2, 5, 14, and 17 are canceled by the present amendment. The changes to Claims 1, 3, 4, 6, 8-13, 15, 16, 18-20, 22, and 23 correct matters of form or dependency and are additionally supported in the originally filed disclosure at least by originally filed Claims 2, 5, 14, and 17. Thus, no new matter is added.

In the outstanding Office Action, Claims 1 and 13 were objected to; Claims 1 and 13 were rejected under 35 U.S.C. § 102(b) as anticipated by Mononobe, et al. (U.S. Patent No. 6,236,783, herein "Mononobe"); Claims 2-11 and 14-23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Mononobe in view of Itoh, et al. (U.S. Patent No. 7,274,012, herein "Itoh"); and Claims 12 and 24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Mononobe in view of Itoh, further in view of Kleinerman (U.S. Patent No. 5,363,463).

At the outset, Applicants note that Itoh is not listed as a reference on the PTO-892 form included with the outstanding Office Action and has not been submitted by Applicants in an IDS. Thus, Applicants respectfully request that Itoh be added to the Notice of References Cited.

The Specification is amended to correct an error. No new matter is added by the correction based on the discussion at paragraphs [0028] and [0029] of the published Specification.

Because the subject matter of Claims 2 and 5 is included in amended Claim 1 and the subject matter of Claims 14 and 17 is included in amended Claim 13, the rejection of Claims 2, 5, 14, and 17 are addressed to address the patentability of amended Claims 1 and 13.

Claims 2, 5, 14, and 17 were rejected under 35 U.S.C. § 103(a) based on Mononobe and Itoh.


However, Itoh is not prior art against the present application. The PCT filing date of the present application is July 8, 2004, which predates the filing date of Itoh of July 11, 2005 and even the publication date of the Japanese counterpart application of Itoh of February 2, 2006. Thus, Itoh is not prior art.

Because Itoh is not prior art, Applicants respectfully request that the rejections of Claims 1, 3, 4, 6-13, 15, 16, and 18-24 under 35 U.S.C. § 103(a), based on Itoh, be withdrawn.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Usha Munukutla-Parker
Registration No. 61,939